

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
JOHN RICHARD JAG
Plaintiff

FILED
HARRISBURG, PA. U.S. District Judge
DEC 04 2000 Magistrate Judge Smyth

VS.
DR. ROBERT CLARK, et al.
Defendants.

MARY E. D'ANDREA, CLERK
Per [Signature]
Deputy Clerk

PLAINTIFF'S BRIEF IN OPPOSITION TO
CORRECTIONS DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT ON THE GROUND
OF MOOTNESS

COMES NOW, the PLAINTIFF, as named in the above
CIVIL Action, John Richard Jag, a layman unlettered in the
essences of the law & legal procedures within the United States,
and files his PLAINTIFF'S BRIEF IN OPPOSITION TO CORRECTIONS
DEFENDANTS' MOTION TO ~~DISMISS~~ PLAINTIFF'S AMENDED
COMPLAINT ON THE GROUND OF MOOTNESS, herein, who swears
deposes & states:

On or About November 20, 2000, Corrections
Defendants, by Counsel, filed their Motion To
DISMISS PLAINTIFF'S ^{Amended} Complaint on the Ground
of Mootness, herein this above entitled CIVIL Action.

Plaintiff now files his PLAINTIFF'S BRIEF IN
OPPOSITION TO CORRECTIONS DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT ON THE GROUND OF
MOOTNESS, herein this case.

Plaintiff admits paragraph No's 1 & 4 - ~~18~~ of Corrections Defendants' Motion to Dismiss Plaintiff's Amended Complaint on the Ground of Mootness.

However, Plaintiff denies/disputes Paragraph No's 3 & ~~9~~ 9 - 13, of Corrections Defendants' Motion to Dismiss Plaintiff's Amended Complaint on the Ground of Mootness.

Plaintiff furthermore avers & submits that Paragraph No's 3 & 9 - 13, of Corrections Defendants' Motion to Dismiss Plaintiff's Amended Complaint on the Ground of Mootness, "are" untrue, specious, factually and/or legally erroneous & contrary to controlling Federal law, based upon the following:

While it is true that Plaintiff brought this to prevent his transfer to the SMU by the Corrections Defendants such is not the only reason that Plaintiff filed his Amended Complaint/brought this Suit against the Corrections Defendants, here but also because the Corrections Defendants have illegally found & then upheld such finding and that Plaintiff was guilty of Prison Misconduct Re which were caused by and a part and a direct result of Plaintiff's serious Mental Health Illness and for their placing & leaving this Plaintiff who has significant history of serious mental health illness disease to

rendering 42 U.S.C. §1983 an ineffectual nullity and a mirage, thereby creating a dangerous precedent, (2) that, to the extent plaintiff is raising any damage claims against the Corrections Defendants, those claims are "not" barred by 42 U.S.C. §1997e(e); and (3) thus, this plaintiff still does have viable claims against the Corrections Defendants here in this case, that are "not" mooted by his permanent transfer to the SMU at SCI-Greene.

(w) HEREBY, Plaintiff John Richard Jae based upon the above & foregoing facts & arguments, herein, submit that this Court will enter an order, denying Corrections Defendants' Motion to Dismiss Plaintiff's Amended Complaint on the Ground of Mootness herein this case:

AND HE SHALL EVER APPROPRIATELY
RESPECTFULLY SUBMITTED

BY John Richard Jae

MR. JOHN RICHARD JAE,
Plaintiff and his Counsel
Mr. John Richard Jae,

Dated: 30th Nov 2000 #BQ-3219

SCI-Waymart
175 Progress Dr
Waynesburg, PA-15370